

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
7:15-CR-104-1H

UNITED STATES OF AMERICA,)
)
)
)
)
v.)
)
)
LEXY LEONEL HERRERA-PAGOADA,)
)
)
Defendant.)
)

ORDER

This matter is before the court on the government's oral motion for review of release order made at defendant's initial appearance in this district regarding Revocation of his Supervised Release.

A review of the record regarding defendant in this district and in the Southern District of California reveals there was a release order entered on March 22, 2019. United States v. Herrera-Pagoada, 3:19-MJ-1152-NLS, DE #8 (S.D. Cal. 2019). While it is unclear to the court whether defendant was actually released from custody following the order, on April 16, 2019, a Warrant of Removal after hearing was entered in the Southern District of California, committing the defendant to the custody of the United

States Marshal pending his removal to the Eastern District of North Carolina. (*Id.*, DE #17, Order filed April 16, 2019.)

The defendant having now been delivered to the custody of the United States Marshal in this district, and pursuant to the provisions of 18 U.S.C. § 3142, the undersigned hereby reopens the issue of detention. This matter is hereby referred to United States Magistrate Judge Kimberly A. Swank to address the issue of detention. The clerk is directed to terminate the motion for review as moot.

This 8th day of May 2019.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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